

Stanley L. Friedman (CABN 120551)
445 S. Figueroa Street, 27th Floor
Los Angeles, California 90071-1631
Telephone: (213) 629-1500
Attorney for Defendant
Michael Chen

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL CHEN,

Defendant.

Case No. CR 09-00149-MMC

**STIPULATION AND [Proposed]
ORDER REGARDING REPORT
DATE**

[Courtroom of The Honorable
Maxine M. Chesney]

Assistant United States Attorney Cynthia Stier, attorney of record for Plaintiff United States of America, and Stanley L. Friedman, appellate counsel of record for Defendant Michael Chen, hereby stipulate as follows:

The Court's docket should reflect that on March 20, 2014, the Ninth Circuit Court of Appeals affirmed the judgment and sentence imposed by this Honorable Court. *See* Docket Entry No. 246.

Mr. Friedman has requested that the self-surrender date for the defendant, Michael Chen be set for July 7, 2014 so that the defendant may self-report to a facility designated by the Bureau of Prisons to serve his sentence of 33 months and 2 days.

Mr. Friedman further represents that he has been retained by the defendant to file a Petition for Writ of Certiorari to the United States Supreme Court and will do so within the next thirty (30) days. Mr. Friedman further represents that he is familiar with United States Supreme Court practice as he has filed petitions and other briefs in the United States Supreme Court and represented the respondent in one reported case. *See Douglas v. Independent Living Center of Southern California*, 565 U.S. ___, 132 S. Ct. 1204, 182 L. Ed. 2d 101 (2012).

Mr. Friedman further represents that should the Supreme Court rule upon the defendant's Petition for Writ of Certiorari and accept the case for review before the date set for self-surrender, Mr. Friedman expects to move this Honorable Court for bail pending further review.

Ms. Stier does not oppose Mr. Friedman's request to set the date of self-surrender for July 7, 2014.

Dated: April 4, 2014.

/s/ Stanley L. Friedman
Stanley L. Friedman
Attorney for Defendant
Michael Chen

1 Dated: April 4, 2014.

/s/ Cynthia Stier
Cynthia Stier
Assistant United States Attorney
Attorney for Plaintiff
United States of America

5
6 O R D E R

7 The Court, having read the stipulation of the parties, and finding Good Cause
8 therein, hereby orders as follows:

9 IT IS HEREBY ORDERED that defendant, Michael Chen, surrender himself
10 to the institution designated by the Bureau of Prisons on or before 12 noon on
11 July 7, 2014. In absence of a designation by the Bureau of Prisons,
12 defendant shall report on July 7, 2014 by 12 noon to the United States
13 Marshal located at 450 Golden Gate Avenue, 20th Floor, San Francisco, California
14 94102.

15 IT IS SO ORDERED.

16 DATED: April 7, 2014.



THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE

18
19 Respectfully submitted by:

20 /s/ Stanley L. Friedman
21 STANLEY L. FRIEDMAN
22 Attorney for Defendant
Michael Chen